

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

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PCT

NOTIFICATION OF RECEIPT OF DEMAND BY COMPETENT INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

(PCT Rules 59.3(e) and 61.1(b), first sentence
and Administrative Instructions, Section 601(a))

Date of mailing
(day/month/year) 6 Mrz. 2000 (06.03.00)

Applicant's or agent's file reference

PA/KIST99346

IMPORTANT NOTIFICATION

International application No.

PCT / KR 99/00414

International filing date (day/month/year)

30 Jul. 1999 (30.07.99)

Priority date (day/month/year)

31 Jul. 1998 (31.07.98)

Applicant

KOREA INSTITUTE OF SCIENCE AND TECHNOLOGY et al.

1. The applicant is hereby notified that this International Preliminary Examining Authority considers the following date as the date of receipt of the demand for international preliminary examination of the international application:

28 Feb. 2000 (28.02.00)

2. That date of receipt is:

- ☒ the actual date of receipt of the demand by this Authority (Rule 61.1(b)).
- ☐ the actual date of receipt of the demand on behalf of this Authority (Rule 59.3(e)).
- ☐ the date on which this Authority has, in response to the invitation to correct defects in the demand (Form PCT/IPEA/404), received the required corrections.

3. ☐ **ATTENTION:** That date of receipt is **AFTER** the expiration of 19 months from the priority date. Consequently, the election(s) made in the demand does (do) not have the effect of postponing the entry into the national phase until 30 months from the priority date (or later in some Offices) (Article 39(1)). Therefore, the acts for entry into the national phase must be performed within 20 months from the priority date (or later in some Offices) (Article 22). For details, see the *PCT Applicant's Guide*, Volume II.

- ☐ (If applicable) This notification confirms the information given by telephone, facsimile transmission or in person on:

4. Only where paragraph 3 applies, a copy of this notification has been sent to the International Bureau.

Name and mailing address of the IPEA/ AT
AUSTRIAN PATENT OFFICE

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A-1014 Vienna

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Authorized officer

Koch

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INTERNATIONAL SEARCH REPORT

International application No.
PCT/KR 99/00414

A. CLASSIFICATION OF SUBJECT MATTER

IPC⁷: A 61 K 9/107

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC⁷: A 61 K 9/107

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

WPI, CAS

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 96/25917 A1 (BAUSCH & LOMB INCORPORATED) 29 August 1996 (29.08.96) claims 1,19,23,25,28.	1,13
X	WO 93/00160 A1 (EMORY UNIVERSITY) 07 January 1993 (07.01.93) page 18, line 38 - page 20, line 7; page 21; tables 1-4; claims 1,5,8.	3,26,35
X	EP 0490053 A1 (WELLA AKTIENGESELLSCHAFT) 17 June 1992 (17.06.92) claims 1,5,6,7.	1
X	JP 03-044314 A (NIPPON PETROCHEMICALS CO LTD) 1991-02-26 (abstract) [online] [retrieved on 1991-11-08]. Retrieved from EPO PAJ Database.	1
X	JP 06-219940 A (SHISEIDO CO. LTD.) 1994-08-09 (abstract) [online] [retrieved on 1999-11-08]. Retrieved from EPO PAJ Database	1,3,7,52

☐ Further documents are listed in the continuation of Box C.

☒ See patent family annex.

* Special categories of cited documents:

„A“ document defining the general state of the art which is not considered to be of particular relevance

„E“ earlier application or patent but published on or after the international filing date

„L“ document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

„O“ document referring to an oral disclosure, use, exhibition or other means

„P“ document published prior to the international filing date but later than the priority date claimed

„T“ later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

„X“ document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

„Y“ document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

„&“ document member of the same patent family

Date of the actual completion of the international search

08 November 1999 (08.11.99)

Date of mailing of the international search report

06 December 1999 (06.12.99)

Name and mailing address of the ISA/AT
Austrian Patent Office
Kohlmarkt 8-10; A-1014 Vienna
Facsimile No. 1/53424/200

Authorized officer

Mosser

Telephone No. 1/53424/437

INTERNATIONAL SEARCH REPORT

International application No.
PCT/KR 99/00414

Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claim Nos.: 58
because they relate to subject matter not required to be searched by this Authority, namely:
Remark: Although claim 58 concerns the treatment of the human or animal body by therapy (see PCT Rule 39.1 (iv)) the search was carried out and based on the alleged effects.
2. ☐ Claims Nos.:
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. claims 1, 3, 5, 7, 9-17, 26-38, 52-61, 71, 73, 75 and 77 concern lipid emulsions comprising non-triglyceride oil.

2. claims 2, 4, 6, 8, 18-25, 39-51, 62-70, 72, 74, 76 and 78 concern solid lipid nanoparticles comprising fat of triglycerides.

1. ☐ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☒ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims: it is covered by claims Nos.:
1, 3, 5, 7, 9-17, 26-38, 52-61, 71, 73, 75, 77.

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
☐ No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No.

PCT/KR 99/00414

In Recherchenbericht angeführtes Patentdokument Patent document cited in search report Document de brevet cité dans le rapport de recherche		Datum der Veröffentlichung Publication date Date de publication	Mitglied(er) der Patentfamilie Patent family member(s) Membre(s) de la famille de brevets	Datum der Veröffentlichung Publication date Date de publication
WO A1	9625917	29-08-1996	AU A1 48683/96 CA AA 2213517 EP A1 510952 US A 5759557 US A 5759558	11-09-1996 29-08-1996 10-12-1997 02-06-1998 02-06-1998
WO A1	9300160	07-01-1993	AT E 165749 AU A1 23158/92 CA AA 2112355 CN A 1073889 CN A 1096224 CN B 1042198 DE C6 69225404 DE T2 69225404 EP A1 591452 EP A4 591452 EP B1 591452 ES T3 2116340 HK A1 1010450 IE B 67066 IL A0 102317 IL A0 107262 JP T2 6506555 US A 5885590	15-05-1993 25-01-1993 07-01-1993 07-07-1993 14-12-1993 24-02-1994 10-06-1994 17-12-1994 13-04-1994 20-07-1994 06-05-1994 16-07-1994 17-06-1994 21-02-1994 14-01-1994 25-01-1994 29-09-1994 23-03-1994
EE A	490053		keine - none - rien	
JP A2	3044314	26-02-1991	keine - none - rien	
JP A2	6219940	09-08-1994	keine - none - rien	